

ESTTA Tracking number: **ESTTA466326**

Filing date: **04/10/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052910
Party	Defendant Thomas R. Adams dba WMLS International
Correspondence Address	MORLAND C FISCHER 2030 MAIN ST STE 1300 IRVINE, CA 92614 UNITED STATES morlandf@earthlink.net
Submission	Other Motions/Papers
Filer's Name	Morland C. Fischer
Filer's e-mail	morlandf@earthlink.net
Signature	/Morland C. Fischer/
Date	04/10/2012
Attachments	Motion to Allow Amend.TIO-53.PDF (4 pages)(672653 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Major League Softball, Inc.)	Cancellation No. 92052910
)	
Petitioner,)	Registration No. 3,697,345
)	
v.)	Mark: WMLS WOMEN'S MAJOR
)	LEAGUE SOFTBALL
Thomas R. Adams, dba)	INTERNATIONAL (plus design)
WMLS International)	
)	
Registrant.)	

MOTION TO ALLOW AMENDMENT OF
REGISTRATION DURING CANCELLATION PROCEEDINGS
37 C.F.R. 2.133(a)

Assistant Commissioner for Trademarks
Box TTAB
P. O. Box 1451
Alexandria, VA 22313-1451

Sir:

The Registrant in the above-captioned Cancellation, through his undersigned attorney, makes this motion to the Board asking that he be permitted to amend his above-identified Registration No. 3,697,345 pursuant to 37 C.F.R. 2.173(a) and Section 7(c) of the Trademark Act. In particular, the registrant requests that the services described in his registration be amended to: Organizing and scheduling competitions and exhibitions in the field of women's professional fast pitch softball.

In support of this motion for permission to amend, it is pointed out that the registered mark is not being changed such that the character of the mark will not be materially altered. It is only the identification of the services which are proposed to be amended by adding the descriptive word "professional" to more narrowly define the field in which the registrant's


services have been and will continue to be offered. In this same regard, it is also pointed out that the original identification has been restricted, and no new service has been presented. Therefore, it is submitted that no new issues will be raised by the proposed amendment and neither a new search nor a republication of the mark will be required. An amendment of this application could result in an early resolution of the cancellation.

Accordingly, it is urged that this motion be granted so that Registration No. 3,697,345 may be amended as requested above. Should a fee be required to make this amendment pursuant to 37 C.F.R. 2.6(a)(11), it is requested that such fee be charged to Deposit Account No. 08-1310.

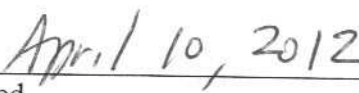
DECLARATION

The undersigned declares that he is authorized to execute this Declaration on behalf of the Registrant, that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the warning that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this Declaration or the registration in connection therewith.

Respectfully submitted:



Morland C. Fischer
Attorney for the Registrant, Thomas R. Adams
2030 Main Street
Suite 1300
Irvine, CA 92614
Telephone: (949) 476-0600
Facsimile: (949) 476-0606
morlandf@earthlink.net

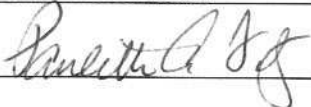


Dated

CERTIFICATE OF MAILING

I, Paulette A. Fritz, do hereby certify that the foregoing documents entitled **MOTION TO ALLOW AMENDMENT OF REGISTRATION DURING CANCELLATION PROCEEDINGS** are being electronically filed and addressed to: TTAB, Assistant Commissioner for Trademarks, P. O. Box 1451, Alexandria, Virginia 22313-1451 on this date of April 10, 2012.

Name Printed: Paulette A. Fritz

Signature: 

Date of Deposit: April 10, 2012

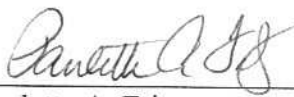
PROOF OF SERVICE

State of California)
) ss.
County of Orange)

I am over the age of 18 and not a party to this within action; my business address is Law Offices of Morland C. Fischer, 2030 Main Street, Suite 1300, Irvine, California 92614. On April 10, 2012, the attached MOTION TO ALLOW AMENDMENT OF REGISTRATION DURING CANCELLATION PROCEEDINGS was served on all interested parties in this action by U. S. Mail, postage prepaid, at the address(es) as follows:

Carrie A. Johnson
Fraser Clemens Martin & Miller
28366 Kensington Lane
Perrysburg, Ohio 43551-4163

Executed on April 10, 2012 at Irvine, California. I declare under penalty of perjury that the above is true and correct.



Paulette A. Fritz